

HOUSE BILL 698

A2

2lr0365

By: **Montgomery County Delegation**

Introduced and read first time: February 8, 2012

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Follow-Up Criminal History**
3 **Records Checks**

4 **MC 3–12**

5 FOR the purpose of requiring the Criminal Justice Information System Central
6 Repository (CJIS) to provide the Board of License Commissioners for
7 Montgomery County with a revised printed criminal record statement of a
8 license applicant or license holder if information is reported to CJIS after the
9 initial criminal history records check is completed; requiring CJIS to stop
10 providing the Board with revised printed statements under certain
11 circumstances; repealing a requirement that the Board obtain criminal records
12 from the Montgomery County Police; defining a certain term; and generally
13 relating to alcoholic beverages licenses in Montgomery County.

14 BY repealing and reenacting, with amendments,
15 Article 2B – Alcoholic Beverages
16 Section 10–103(b)(13)(iv)
17 Annotated Code of Maryland
18 (2011 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 2B – Alcoholic Beverages**

22 10–103.

23 (b) Except as otherwise provided in this subtitle, every new application for a
24 license shall be made to the Board of License Commissioners on forms prescribed by

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the Comptroller and sworn to by the applicant. Every application for a license shall
2 contain the following:

3 (13) (iv) 1. IN THIS SUBPARAGRAPH, “CJIS” MEANS THE
4 CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE
5 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

6 2. [In] THIS SUBPARAGRAPH APPLIES ONLY IN
7 Montgomery County[:].

8 [1.]3. The Board of License Commissioners shall:

9 A. Obtain criminal records of alcoholic beverages license
10 applicants from [the Criminal Justice Information System Central Repository of the
11 Department of Public Safety and Correctional Services and Montgomery County
12 Police] CJIS;

13 B. Require applicants for alcoholic beverages licenses in
14 the county to be fingerprinted; and

15 C. Forward the fingerprints through [the Criminal
16 Justice Information System Central Repository of the Department of Public Safety and
17 Correctional Services] CJIS for transmittal to the Federal Bureau of Investigation for
18 a national criminal history records check[; and].

19 4. WHEN CRIMINAL HISTORY RECORD INFORMATION
20 OF AN APPLICANT OR LICENSE HOLDER IS REPORTED TO CJIS AFTER THE
21 INITIAL CRIMINAL HISTORY RECORDS CHECK IS COMPLETED, CJIS SHALL
22 PROVIDE THE BOARD OF LICENSE COMMISSIONERS WITH A REVISED PRINTED
23 STATEMENT OF THE CRIMINAL RECORD OF THE APPLICANT OR LICENSE
24 HOLDER.

25 5. IF THE BOARD INFORMS CJIS THAT AN
26 INDIVIDUAL IS NO LONGER AN APPLICANT OR LICENSE HOLDER, CJIS SHALL
27 STOP PROVIDING THE BOARD OF LICENSE COMMISSIONERS WITH REVISED
28 PRINTED STATEMENTS OF THE CRIMINAL RECORD OF THE INDIVIDUAL.

29 [2.]6. Applicants for license renewal may be subject to these
30 provisions.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 2012.